

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Civil No. 09-1082 (DSD/FLN)

Barbara Lewis,

Plaintiff,

v.

Pfizer, Inc., Pharmacia &
Upjohn Company, LLC, Pharmacia
Corporation, Pharmacia &
Upjohn, LLC., Greenstone Ltd.,
and ESI Lederle, Inc.,

Defendants.

This matter is before the court upon the motion by plaintiff Barbara A. Lewis to transfer this action pursuant to 28 U.S.C. § 1404(a). Based on a review of the file, record and proceedings herein, and for the following reasons, the court transfers this action to the United States District Court for the Eastern District of Arkansas.

In response to plaintiff's motion, defendants filed a one-sentence objection to transfer, relying on "the reasons given before." ECF No. 20. The defendants, however, filed no prior objections to transfer. Moreover, the court finds that the convenience of the parties, the convenience of the witnesses and the interest of justice all weigh in favor of transfer. See Terra Int'l, Inc. v. Miss. Chem. Corp., 119 F.3d 688, 691 (8th Cir. 1997)

(discussing three-prong transfer inquiry). Therefore, transfer to the United States District Court for the Eastern District of Arkansas is proper.¹

Accordingly, **IT IS HEREBY ORDERED** that:

1. The motion to transfer [ECF No. 13] is granted;
2. The motion to expedite [ECF No. 16] is denied as moot;

and

3. This action is transferred to the United States District Court for the Eastern District of Arkansas.

Dated: June 26, 2012

s/David S. Doty
David S. Doty, Judge
United States District Court

¹ If plaintiff had not requested transfer pursuant to § 1404(a), the court would have ordered transfer *sua sponte*. Cent. Reg'l Emps. Benefit Fund v. SmithKline Beecham Corp., No. 09-2125, 2010 WL 3515693, at *3 (D. Minn. Aug. 31, 2010) (citations omitted) ("[T]he case law in this circuit supports a district court's ability to transfer *sua sponte*.").